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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILEY GILL; JAMES PRIGOFF; TARIQ
RAZAK; KHALID IBRAHIM; and AARON
CONKLIN,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

No. 3:14-cv-03120 (RS)(KAW)

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING BRIEFING
SCHEDULE ON PLAINTIFFS' MOTION
TO STRIKE DEFENDANTS'
DECLARATIONS AND TO
SUPPLEMENT THE RECORD WITH
PLAINTIFFS' DECLARATIONS**

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Local Civil Rule 6-2, Defendants request that the Court conform the briefing schedule on Plaintiffs' Motion to Strike Defendants' Declarations and to Supplement the Record with Plaintiffs' Declarations, *see* ECF No. 121, to the existing briefing schedule on the parties' cross-motions for summary judgment. The parties, through their undersigned counsel, have conferred and the Plaintiffs stipulate and agree to this request.

Defendants provide the following bases in support of this stipulated request:

1. On July 25, 2016, the Court entered a Case Management Order pursuant to which Defendants' Motion for Summary Judgment was due August 19, 2016; Plaintiffs' Opposition and Cross-Motion was due September 22, 2016; Defendants' Reply was due October 20, 2016; and Plaintiffs' Reply was due November 17, 2016. *See* ECF No. 112.

2. Defendants filed their Motion for Summary Judgment on August 19, 2016. On September 22, 2016, Plaintiffs filed both (1) their Opposition and Cross-Motion, *see* ECF No. 115, and (2) a Motion to Strike Defendants' Declarations and Supplement the Record with Plaintiffs' Declarations, *see* ECF No. 121.

3. Pursuant to the Local Rules of this Court, Defendants' opposition to the latter motion is due October 6, 2016, and Plaintiffs' Reply is due October 13, 2016. *See* Local Civil Rule 7-3(a), (c).

4. The parties have conferred and agree that it would be most efficient for the briefing schedule on Plaintiffs' Motion to Strike Defendants' Declarations and Supplement the Record with Plaintiffs' Declarations to conform to the briefing schedule on the parties' Cross-Motions for Summary Judgment. Accordingly, the parties request that Defendants' Opposition to Plaintiffs' Motion to Strike Defendants' Declarations and Supplement the Record with Plaintiffs' Declarations be due October 20, 2016, and that Plaintiffs' Reply be due November 17, 2016.

DATED: September 29, 2016

Respectfully submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General

ANTHONY J. COPPOLINO
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/s/ Steven A. Myers
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/s/ Linda Lye

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24 **LOCAL RULE 5-1(i) ATTESTATION**

25 I attest that I have obtained Linda Lye's concurrence in the filing of this document.

26 /s/ Steven A. Myers

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**UNITED STATES DISTRICT COURT
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WILEY GILL; JAMES PRIGOFF; TARIQ
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No. 3:14-cv-03120 (RS)(KAW)

DECLARATION OF STEVEN A. MYERS

I, Steven A. Myers, do hereby declare as follows:

1. I am an attorney with the Civil Division of the United States Department of Justice.
I have been assigned primary responsibility for representing Defendants in this matter.

2. Defendants filed their Motion for Summary Judgment on August 19, 2016. On
September 22, 2016, Plaintiffs filed both (1) their Opposition and Cross-Motion, *see* ECF No. 115,
and (2) a separate Motion to Strike Defendants' Declarations and Supplement the Record with

1 Plaintiffs' Declarations, *see* ECF No. 121. Pursuant to the Local Rules of this Court, Defendants'
2 opposition to the latter motion is due October 6, 2016, and Plaintiffs' Reply is due October 13, 2016.
3 *See* Local Civil Rule 7-3(a), (c).

4 3. The parties have conferred and agree that it would be most efficient for the briefing
5 deadlines on Plaintiffs' Motion to Strike Defendants' Declarations and Supplement the Record with
6 Plaintiffs' Declarations to conform to the briefing schedule on the parties' Cross-Motions for
7 Summary Judgment.

8 4. Accordingly, the parties request that Defendants' Opposition to Plaintiffs' Motion to
9 Strike Defendants' Declarations and Supplement the Record with Plaintiffs' Declarations be due
10 October 20, 2016, and that Plaintiffs' Reply be due November 17, 2016.

11 I declare under penalty of perjury that the foregoing is true and correct.

12
13 Dated: September 29, 2016

/s/ Steven A. Myers
STEVEN A. MYERS

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, it is hereby ORDERED that Defendants' Opposition to Plaintiffs' Motion to Strike Defendants' Declarations and Supplement the Record with Plaintiffs' Declarations, *see* ECF No. 121, is due October 20, 2016, and that Plaintiffs' Reply is due November 17, 2016.

IT IS SO ORDERED.

DATED: 9/30/16



HON. RICHARD SEEBORG
United States District Judge